

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of
Ivan Ricardo Erazo
Respondent

Civil Citation No.56477
2947 Liberty Parkway

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on March 24, 2009, for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-4-201 (b)(d), 13-7-312, 13-7-115, failure to obtain lids for trash cans, failure to remove trash from property on residential property zoned DR 10.5 known as 2947 Liberty Parkway, 21227.

On March 9, 2009, pursuant to § 3-6-205, Baltimore County Code, a Code Enforcement citation was issued. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,200.00 (one thousand two hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued to Respondent on January 15, 2008 requesting removal of all junk, trash and debris from the rear yard of this residential property. The violations were corrected. A Correction Notice was issued on February 24, 2009 for removal of junk, trash, and debris, and lack of required Rental Housing License. Photograph in the file shows discarded household items, and bagged trash or garbage in an open can and on the ground in the rear yard.

B. This Citation was issued on March 9, 2009 for failure to remove trash and debris, and failure to use trash cans with tight fitting lids. Re-inspection on March 23, 2009 found the property condition worse. Photographs in the file show household items, lumber, an old tire, and bagged garbage on the ground. Garbage from one bag is strewn on the ground. This constitutes a continued violation of County Code provisions prohibiting conditions that are conducive to rat infestation and rat harborage.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,200.00 (one thousand two hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if Respondent removes all junk, trash and debris and corrects these violations by April 30, 2009. If Respondent fails to correct the violations by April 30, 2009, then the full civil penalty shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 7th day of April 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer